

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SAM LANGER,

Plaintiff,

No. 05-60209

v.

Hon. John Corbett O'Meara

ALLIED WASTE SERVICES OF  
NORTH AMERICA, LLC; and BFI  
WASTE SYSTEMS OF NORTH  
AMERICA, INC., Jointly and Severally,

Defendants.  
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**ORDER OF PARTIAL DISMISSAL**

Plaintiff Sam Langer filed a three-count complaint in this court September 7, 2005, retaliation under Title VII; intentional infliction of emotional distress, and tortious interference with advantageous business relationship or expectancy.

While alleged violations of Title VII are cognizable in this court pursuant to 28 U.S.C. §§ 1343, Counts II and III are based solely on state law. Since the parties to this matter are not diverse, this court declines to exercise supplemental jurisdiction over the latter claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994). Therefore, it is hereby **ORDERED** that Counts II and III are **DISMISSED**.

s/John Corbett O'Meara  
John Corbett O'Meara  
United States District Judge

Dated: October 28, 2005